

## FOURTH DAY

(Friday, September 12, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Gariand
Allen	Gilmer
Allison	Green
Alsup	Halsey
Avant	Hanna
Bailey	Hardeman
Baker	Hargis
Bean	Harris of Dallas
Bell	Harris of Hill
Benton	Hartzog
Blankenship	Heflin
Boone	Helpinstill
Brawner	Henderson
Bray	Hileman
Bridgers	Hobbs
Brown	Howard
Bruhl	Howington
Bullock	Hoyo
Bundy	Huddleston
Burkett	Huffman
Burnaman	Hughes
Carrington	Humphrey
Cato	Hutchinson
Celaya	Isaacks
Chambers	Jones
Clark	Kelly
Cleveland	Kennedy
Coker	Kersey
Colson, Mrs.	Kinard
Connelly	King
Craig	Klingeman
Crossley	Knight
Crosthwait	Lansberry
Daniel	Lehman
Davis	Leyendecker
Deen	Little
Dickson of Bexar	Lock
Donald	Love
Dove	Lowry
Duckett	Lucas
Dwyer	Lyle
Ellis	McAlister
Eubank	McDonald
Evans	McGlasson
Favors	McLellan
Ferguson	McMurry
Files	McNamara
Fuchs	Manford
Gandy	Manning

Markle	Senterfitt
Martin	Sharpe
Matthews	Shell
Montgomery	Simpson
Moore	Smith of Bastrop
Morgan	Smith of Atascosa
Morris	Spacek
Morse	Spangler
Murray	Stanford
Pace	Stinson
Parker	Stubbs
Pevehouse	Taylor
Phillips	Thornton
Price	Vale
Rampy	Voigt
Reed of Bowie	Walters
Reed of Dallas	Wattner
Ridgeway	Weatherford
Rhodes	White
Roark	Whitesides
Roberts	Williamson
Sallas	Winfree

## Absent—Excused

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, we see Thy hand in the growth of our great state and our nation. In these serious times do Thou be the leader of our leaders, of our President and his advisers, that they may know and follow right paths as they lead us on, and that we may all be true to our American ideals and courageous in every needed action. As Thou knowest us here, do Thou enlarge our vision and clear our understanding as we may need. For Christ's sake. Amen."

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. McCann for today on motion of Mr. Senterfitt.

Mr. Goodman for today on motion of Mr. Simpson.

Mr. Fitzgerald for today on motion of Mr. Hileman.

Mr. Dickson of Nolan for today on motion of Mr. Bullock.

**HOUSE BILLS ON FIRST  
READING**

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Hartzog, Mr. Bell, Mr. Shell and Mr. Duckett:

H. B. No. 20, A bill to be entitled "An Act to amend Section 1 of House Bill No. 271, Acts of the Regular Session of the 47th Legislature, the Judiciary Appropriation Bill, by adding thereto a new section to be known as Section 1a, to make an appropriation of \$2,600 for the payment of compensation or fees to attorneys, including county attorneys, who, since January 1, 1940, to the effective date of this Act, have performed the duties of a district attorney pursuant to the provisions of Articles 26 and 31 of the Code of Criminal Procedure of Texas; and making an appropriation of \$10,000 for the payment of compensation or fees to attorneys, including county attorneys, performing the duties of a district attorney, pursuant to the provisions of Articles 26 and 31 of the Code of Criminal Procedure of Texas, from the effective date of this Act through biennium ending August 31, 1943; providing for the payment of such compensation or fees when approved by the District Judge; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Deen:

H. B. No. 21, A bill to be entitled "An Act relating to the refunding of bonds issued by any town or village incorporated for free school purposes only, or any common, independent, or consolidated common, or consolidated independent county line, or consolidated county line or rural high school district in Floyd County; giving the right to governing boards of said districts of said county to refund unmatured bonds into bonds; providing that this Act shall apply to bonds owned or held by the State Board of Education and belonging to

the Permanent School Fund; and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Isaacks:

H. B. No. 22, A bill to be entitled "An Act to validate, ratify, and confirm elections and proceedings had in connection with the issuance of bonds by counties for the construction of Livestock and Agricultural Exhibition buildings; authorizing and empowering counties to issue bonds in the amounts voted in said elections where question submitted to qualified electors of said county and majority of the qualified voters of said county who own taxable property and who have duly rendered the same for taxation voting at said election on said proposition voted in favor of the issuance of bonds and levying of tax to pay interest and provide a sinking fund for such purpose; authorizing said county to complete proceedings for issuance and delivery of such bonds; declaring said bonds valid legal obligations upon approval by the Attorney General and registration with the Comptroller of Public Accounts, and sale at not less than par value and accrued interest; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Reed of Bowie:

H. B. No. 23, A bill to be entitled "An Act to amend House Bill No. 397 passed by the Regular Session 47th Legislature, 1941, validating the order of the Commissioners' Court of Bowie County, Texas, which required the county tax assessor and collector to accept in full payment of all county taxes delinquent for the years 1930, 1931, 1932 and 1933, and due in 1934, the sum of fifty cents on the dollar; and instructing the State Comptroller to abide by the order of the said Commissioners' Court; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Lucas:

H. B. No. 24, A bill to be entitled

"An Act making it unlawful for any person to hunt or kill quail outside of the County of his residence on the private lands of another person except on certain days; providing a penalty; making the Act applicable to Henderson County; repealing laws in conflict; granting authority to officers for enforcement of the Act; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Bean:

H. B. No. 25, A bill to be entitled "An Act amending House Bill No. 921, Acts of the Regular Session of the 47th Legislature, eliminating doves from the provisions of said Act and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Coker:

H. B. No. 26, A bill to be entitled "An Act regulating the time when a convict shall be discharged while out on conditional clemency; defining conditional clemency; prescribing the duties of the prison officials; and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Allison:

H. B. No. 27, A bill to be entitled "An Act to safeguard the milk supply of certain counties having a population of not more than 20,900 nor less than 20,700, according to the Federal Census, 1940, against the disease commonly known as Bang's Disease; and providing for approval of the Health Department of the State of Texas of such vaccines used; and providing a penalty for its violation; and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Clark:

H. B. No. 28, A bill to be entitled "An Act authorizing the Commissioners' Court in each county in this State having a population of not less than six thousand two hundred (6,200) and not more than six thousand two hundred and fifty (6,250), according to the last preceding Federal Census, to allow each County Commissioner certain expenses for

traveling and in connection with the use of his automobile on official business only and/or in overseeing the construction and maintenance of the public roads of the county, to be paid out of the Road and Bridge Fund of the respective Commissioner's precinct; requiring each such Commissioner to pay the expense of operation and repair of such vehicle so used by him without any further expense whatsoever to the county; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Shell:

H. B. No. 29, A bill to be entitled "An Act amending H. B. No. 6, Acts 1929, of the Forty-first Legislature, Second Called Session, Page 172, Chapter 88, with the amendments thereto and adding a new section providing for the establishment of sub-offices or branch offices outside of the County Seat by the Tax Collector for the registration of motor vehicles and issuance of receipts incident thereto. Authorizing the Tax Collector to so establish such offices when authorized by the Commissioners' Court and to appoint deputies therein; providing for salary or compensation for said deputies; repealing laws in conflict therewith; providing method of accounting for monies collected and receipts issued, and declaring an emergency."

Referred to the Committee on Counties.

#### TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Hughes offered the following resolution:

H. C. R. No. 5, To provide for adjournment sine die.

Be it resolved by the House of Representatives, the Senate concurring, That the Legislature of the State of Texas adjourn sine die at 4:00 p. m., Saturday, September 20, 1941.

HUGHES,  
KING,  
HUFFMAN,  
HELPHINSTILL,  
KINARD,  
HUDDLESTON,  
MARTIN.

The resolution was read second time.

Mr. Knight moved that the resolution be tabled.

Question then recurring on the motion to table; yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—71

Allen	Jones
Allison	Kennedy
Alsup	Klingeman
Avant	Knight
Bailey	Lansberry
Baker	Lehman
Bean	Leyendecker
Benton	Lock
Brawner	Lucas
Bridgers	McGlasson
Brown	McLellan
Bundy	McMurry
Burkett	McNamara
Burnaman	Manford
Cato	Manning
Cleveland	Markle
Coker	Matthews
Colson, Mrs.	Morgan
Connelly	Morris
Crosthwait	Murray
Davis	Pace
Deen	Parker
Dickson of Bexar	Rampy
Dove	Rhodes
Duckett	Roark
Ellis	Sallas
Ferguson	Senterfitt
Fuchs	Sharpe
Garland	Smith of Bastrop
Green	Smith of Atascosa
Hargis	Spacek
Harris of Hill	Stubbs
Henderson	Voigt
Hobbs	Weatherford
Howington	Whitesides
Hutchinson	

#### Nays—62

Blankenship	Daniel
Boone	Donald
Bray	Eubank
Bruhl	Favors
Bullock	Files
Carrington	Gandy
Chambers	Gilmer
Clark	Halsey
Craig	Hanna
Crossley	Hardeman

Heflin	Moore
Helpinstill	Morse
Hileman	Pevhouse
Hoyo	Phillips
Huddleston	Price
Huffman	Reed of Bowie
Hughes	Reed of Dallas
Humphrey	Ridgeway
Isaacks	Roberts
Kelly	Simpson
Kersey	Spangler
Kinard	Stanford
King	Stinson
Little	Taylor
Love	Thornton
Lowry	Vale
Lyle	Walters
McAlister	Wattner
McDonald	White
Martin	Williamson
Montgomery	Winfree

#### Absent

Bell	Harris of Dallas
Celaya	Hartzog
Dwyer	Howard
Evans	Shell

#### Absent—Excused

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

### PROVIDING FOR THE APPOINTMENT OF CERTAIN COMMITTEE

Mr. Taylor offered the following resolution:

H. S. R. No. 12, Providing for the appointment of certain committee to investigate un-American activities.

Whereas, It has been called to the attention of the people of the United States that Democratic Government is threatened from within by subversive activities; and

Whereas, No true American and no true Texan desires to see this condition continue; and

Whereas, The members of the Forty-seventh Legislature are firm in their belief that the American way of life should and will be preserved, and that furthermore it is their desire to do all within their power to aid every agency of the Federal Government in preserving the American way of life; now, therefore, be it

Resolved by the House of Representatives of the Forty-seventh Legislature of the State of Texas, That the Speaker of the House be and is hereby authorized to appoint a special committee composed of five members for the purpose of conducting an investigation of

(1) the extent, character, and existence of un-American activities in the State of Texas;

(2) the extent within the State of Texas of subversive and un-American propaganda that is instigated from foreign countries or of domestic origin, and attacks the principle of the form of government as constituted by our constitution;

(3) all other information in relation to that subject that might aid the legislature in remedial legislation; and be it further

Resolved, That said committee shall have the power to issue process for witnesses to any place in this State and to compel their attendance and testimony, and upon disobedience of any subpoena issued the said committee shall have power to punish for contempt; and be it further

Resolved, That said committee shall have the authority to call on the various departments of the State Government, the department of Public Safety, the State Ranger Force or any of their officers or officials, and said officers or officials shall, upon direction of the said committee, make such investigation as the committee may direct, and the said officers and officials shall aid this committee in every way possible to suppress un-American activities; and be it further

Resolved, That said committee shall commence said investigation at the earliest practicable moment, submit a comprehensive report of its findings to the Forty-eighth Legislature along with its recommendations of remedial legislation, and that no member of said committee shall draw any compensation or expenses while serving on this committee.

The resolution was read second time and was adopted.

Mr. Taylor moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

# PROVIDING FOR CERTAIN SERVICES ON CONSTITUTION DAY

Mr. Chambers offered the following resolution:

H. S. R. No. 13, Providing for certain services on Constitution Day.

Whereas, Next Wednesday, September 17th, has been set aside as Constitution Day; and

Whereas, It is necessary during this time of conflict of government ideas that the underlying principles of our government should receive public consideration; and,

Whereas, The people of Texas and of the United States need to preserve and maintain the great principles of human freedom that is expressed in our Constitution; and

Whereas, It is the desire of this Legislature to call the attention of the citizens to the need for national and state loyalty of all citizens to the principles of freedom and justice;

Therefore, Be It Resolved, That at 11:00 o'clock a. m. on September 17th, that this House hold fitting services in respect to the Constitution of Texas and the United States;

Be It Resolved, That we extend an invitation to the Senate of Texas to meet with us in this service;

Be It Further Resolved, That the members of the Supreme Court of Texas be extended an invitation, Court of Civil Appeals and Court of Criminal Appeals;

Be It Further Resolved, That the Honorable Dorsey Hardeman be extended an invitation to address this Body on the history of the Constitution;

Be It Further Resolved, That the Governor of Texas, the Honorable Coke Stevenson, address this Body on the operation of government under the Constitution of the United States.

CHAMBERS,  
DEEN,  
MURRAY,  
HOWINGTON,  
BENTON,  
KENNEDY,  
PACE,  
LUCAS,  
BAILEY,  
HOBBS,  
DONALD.

The resolution was read second time and was adopted.

# AUTHORIZING THE LOAN OF CERTAIN HIGHWAY EQUIPMENT

Mr. Thornton offered the following resolution:

H. C. R. No. 6, Authorizing the loan of certain highway equipment.

Whereas, The City of Mount Pleasant is now completing a street improvement project and is financially unable to purchase all the equipment necessary for the completion of this project; and,

Whereas, The State Highway Department has certain equipment known as rollers and designated for the purpose of topping asphalt highways and streets, and said equipment is not in continual use, and said department is willing to loan this equipment to the City of Mount Pleasant to be used by it in topping asphalt streets now under construction; now, therefore, be it

Resolved by the House of Representatives and the Senate concurring, That the State Highway Department be and the same is hereby authorized and requested to lend this equipment to the City of Mount Pleasant for this purpose.

The resolution was read second time and was adopted.

# NAMING WOODROW WILSON BEAN II MASCOT OF THE HOUSE

Mr. Carrington offered the following resolution:

H. S. R. No. 14, Naming Woodrow Wilson Bean II Mascot of the House.

Whereas, We have with us a proper person for office of Mascot of the House of Representatives of the First Called Session of the Legislature; now, therefore, be it

Resolved, That Woodrow Wilson Bean II, son of Honorable Woodrow Wilson Bean, Sr., of El Paso, Texas, be hereby officially named by this House as Mascot of the House of Representatives of the First Called Session of the Legislature of the State of Texas.

The resolution was read second time and was adopted.

# HOUSE BILL NO. 20 ON SECOND READING

Mr. Hartzog moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 20 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—125

Allen	Garland
Allison	Gilmer
Alsup	Green
Avant	Halsey
Bailey	Hanna
Baker	Hargis
Bean	Harris of Dallas
Bell	Harris of Hill
Benton	Hartzog
Blankenship	Helpinstill
Boone	Henderson
Bray	Hileman
Bridgers	Hobbs
Brown	Howard
Bruhl	Howington
Bullock	Hoyo
Bundy	Huddleston
Burkett	Huffman
Burnaman	Hughes
Carrington	Humphrey
Cato	Hutchinson
Celaya	Isaacks
Chambers	Jones
Clark	Kelly
Cleveland	Kennedy
Coker	Kersey
Colson, Mrs.	Klingeman
Connelly	Knight
Craig	Lansberry
Crossley	Lehman
Crothwait	Leyendecker
Daniel	Little
Davis	Lock
Deen	Love
Dickson of Bexar	Lowry
Dove	Lucas
Duckett	Lyle
Ellis	McMurry
Eubank	Manford
Evans	Manning
Ferguson	Markle
Files	Martin
Fuchs	Matthews
Gandy	Montgomery

Moore	Simpson
Morgan	Smith of Bastrop
Morris	Smith of Atascosa
Morse	Spacek
Pace	Stanford
Parker	Stinson
Pevehouse	Stubbs
Phillips	Taylor
Price	Thornton
Rampy	Vale
Reed of Bowie	Voigt
Reed of Dallas	Walters
Ridgeway	Wattner
Rhodes	Weatherford
Roberts	White
Sallas	Whitesides
Senterfitt	Williamson
Sharpe	Winfree
Shell	

Present—Not Voting

Favors	McLellan
Hardeman	

Absent

Brawner	McDonald
Donald	McGlasson
Dwyer	McNamara
Heflin	Murray
Kinard	Roark
King	Spangler
McAlister	

Absent—Excused

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 20, A bill to be entitled "An Act to amend Section 1 of House Bill No. 271, Acts of the Regular Session of the 47th Legislature, the Judiciary Appropriation Bill, by adding thereto a new section to be known as Section 1a, to make an appropriation of \$2,600 for the payment of compensation or fees to attorneys, including county attorneys, who, since January 1, 1940, to the effective date of this Act, have performed the duties of a district attorney pursuant to the provisions of Articles 26 and 31 of the Code of Criminal Procedure of Texas; and making an appropriation of \$10,000

for the payment of Compensation or fees to attorneys, including county attorneys, performing the duties of a district attorney, pursuant to the provisions of Articles 26 and 31 of the Code of Criminal Procedure of Texas, from the effective date of this Act through the biennium ending August 31, 1943; providing for the payment of such compensation or fees when approved by the District Judge; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 20 ON THIRD READING

The Speaker then laid House Bill No. 20 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—125

Allen	Dove
Allison	Duckett
Alsup	Ellis
Avant	Eubank
Bailey	Evans
Baker	Ferguson
Bean	Files
Bell	Fuchs
Benton	Gandy
Blankenship	Garland
Boone	Gilmer
Bray	Green
Bridgers	Halsey
Brown	Hanna
Bruhl	Hargis
Bullock	Harris of Dallas
Bundy	Harris of Hill
Burkett	Hartzog
Burnaman	Helpinstill
Carrington	Henderson
Cato	Hileman
Celaya	Hobbs
Chambers	Howard
Clark	Howington
Cleveland	Hoyo
Coker	Huddleston
Colson, Mrs.	Huffman
Connelly	Hughes
Craig	Humphrey
Crossley	Hutchinson
Crosthwait	Isaacks
Daniel	Jones
Davis	Kelly
Deen	Kennedy
Dickson of Bexar	Kersey

Klingeman	Reed of Bowie	Yeas—124	
Knight	Reed of Dallas	Allen	Hoyo
Lansberry	Ridgeway	Allison	Huddleston
Lehman	Rhodes	Alsup	Huffman
Leyendecker	Roberts	Avant	Hughes
Little	Sallas	Bailey	Humphrey
Lock	Senterfitt	Baker	Hutchinson
Love	Sharpe	Bean	Isaacks
Lowry	Shell	Bell	Jones
Lucas	Simpson	Benton	Kennedy
Lyle	Smith of Bastrop	Blankenship	Kersey
McMurry	Smith of Atascosa	Boone	Klingeman
Manford	Spacek	Bray	Knight
Manning	Stanford	Bridgers	Lansberry
Markle	Stinson	Brown	Lehman
Martin	Stubbs	Bruhl	Leyendecker
Matthews	Taylor	Bullock	Little
Montgomery	Thornton	Bundy	Lock
Moore	Vale	Burkett	Love
Morgan	Voigt	Burnaman	Lowry
Morris	Walters	Carrington	Lucas
Morse	Wattner	Cato	Lyle
Pace	Weatherford	Celaya	McMurry
Parker	White	Chambers	Manford
Pevehouse	Whitesides	Clark	Manning
Phillips	Williamson	Cleveland	Markle
Price	Winfree	Coker	Martin
Rampy		Colson, Mrs.	Matthews
		Connelly	Montgomery
		Craig	Moore
		Crossley	Morgan
		Crosthwait	Morris
		Daniel	Morse
		Davis	Pace
		Deen	Parker
		Dickson of Bexar	Pevehouse
		Dove	Phillips
		Duckett	Price
		Ellis	Rampy
		Eubank	Reed of Bowie
		Evans	Reed of Dallas
		Ferguson	Ridgeway
		Files	Rhodes
		Fuchs	Roberts
		Gandy	Sallas
		Garland	Senterfitt
		Gilmer	Sharpe
		Green	Shell
		Halsey	Simpson
		Hanna	Smith of Bastrop
		Hargis	Smith of Atascosa
		Harris of Dallas	Spacek
		Harris of Hill	Stanford
		Hartzog	Stinson
		Helpinstill	Stubbs
		Henderson	Taylor
		Hileman	Thornton
		Hobbs	Vale
		Howard	Voigt
		Howington	Walters
Present—Not Voting			
Favors	McLellan		
Hardeman			
Absent			
Brawner	McDonald		
Donald	McGlason		
Dwyer	McNamara		
Heflin	Murray		
Kinard	Roark		
King	Spangler		
McAlister			
Absent—Excused			
Carlton	McCann		
Dickson of Nolan	Mills		
Fitzgerald	Nicholson		
Goodman			
HOUSE BILL NO. 22 ON SECOND READING			
Mr. Isaacks moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 22 be placed on its second reading and passage to engrossment, and on its third reading and final passage.			
The motion prevailed by the following vote:			



Wattner	Whitesides
Weatherford	Williamson
White	Winfree

Present—Not Voting

Favors	McLellan
Hardeman	

Absent

Brawner	McAlister
Donald	McDonald
Dwyer	McGlasson
Hefin	McNamara
Kelly	Murray
Kinard	Roark
King	Spangler

Absent—Excused

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 22, A bill to be entitled "An Act to validate, ratify, and confirm elections and proceedings had in connection with the issuance of bonds by counties for the construction of Livestock and Agricultural Exhibition buildings; authorizing and empowering counties to issue bonds in the amounts voted in said elections where question submitted to qualified electors of said county and majority of the qualified voters of said county who own taxable property and who have duly rendered the same for taxation voting at said election on said proposition voted in favor of the issuance of bonds and levying of tax to pay interest and provide a sinking fund for such purpose; authorizing said county to complete proceedings for issuance and delivery of such bonds; declaring said bonds valid legal obligations upon approval by the Attorney General and registration with the Comptroller of Public Accounts, and sale at not less than par value and accrued interest; and declaring an emergency."

The bill was read second time and was passed to engrossment.

# HOUSE BILL NO. 22 ON THIRD READING

The Speaker then laid House Bill No. 22 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—123

Allen	Harris of Hill
Allison	Hartzog
Alsup	Helpinstill
Avant	Henderson
Bailey	Hileman
Baker	Hobbs
Bean	Howington
Bell	Hoyo
Benton	Huddleston
Blankenship	Huffman
Boone	Hughes
Bray	Humphrey
Bridgers	Hutchinson
Brown	Isaacks
Bruhl	Jones
Bullock	Kennedy
Bundy	Kersey
Burkett	Klingeman
Burnaman	Knight
Carrington	Lansberry
Cato	Lehman
Celaya	Leyendecker
Chambers	Little
Clark	Lock
Cleveland	Love
Coker	Lowry
Colson, Mrs.	Lucas
Connelly	Lyle
Craig	McMurry
Crossley	Manford
Crothwait	Manning
Daniel	Markle
Davis	Martin
Deen	Matthews
Dickson of Bexar	Montgomery
Dove	Moore
Duckett	Morgan
Ellis	Morris
Eubank	Morse
Evans	Pace
Ferguson	Parker
Files	Pevehouse
Fuchs	Phillips
Gandy	Price
Garland	Rampy
Gilmer	Reed of Bowie
Green	Reed of Dallas
Halsey	Ridgeway
Hanna	Rhodes
Hargis	Roberts
Harris of Dallas	Sallas

Senterfitt	Thornton
Sharpe	Vale
Shell	Voigt
Simpson	Walters
Smith of Bastrop	Wattner
Smith of Atascosa	Weatherford
Spacek	White
Stanford	Whitesides
Stinson	Williamson
Stubbs	Winfree
Taylor	

**Present—Not Voting**

Favors	McLellan
Hardeman	

**Absent**

Brawner	McAlister
Donald	McDonald
Dwyer	McGlasson
Heflin	McNamara
Howard	Murray
Kelly	Roark
Kinard	Spangler
King	

**Absent—Excused**

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

**HOUSE BILL NO. 23 ON SECOND READING**

Mr. Reed of Bowie moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 23 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—124**

Allen	Brown
Allison	Bruhl
Alsup	Bullock
Avant	Bundy
Bailey	Burkett
Baker	Burnaman
Bean	Carrington
Bell	Cato
Benton	Celaya
Blankenship	Chambers
Boone	Clark
Bray	Cleveland
Bridgers	Coker

Colson, Mrs.	Lock
Connelly	Love
Craig	Lowry
Crossley	Lucas
Crosthwait	Lyle
Daniel	McMurry
Davis	Manford
Deen	Manning
Dickson of Bexar	Markle
Dove	Martin
Duckett	Matthews
Ellis	Montgomery
Eubank	Moore
Evans	Morgan
Ferguson	Morris
Files	Morse
Fuchs	Pace
Gandy	Parker
Garland	Pevehouse
Gilmer	Phillips
Green	Price
Halsey	Rampy
Hanna	Reed of Bowie
Hargis	Reed of Dallas
Harris of Dallas	Ridgeway
Harris of Hill	Rhodes
Hartzog	Roberts
Helpinstill	Sallas
Henderson	Senterfitt
Hileman	Sharpe
Hobbs	Shell
Howington	Simpson
Hoyo	Smith of Bastrop
Huddleston	Smith of Atascosa
Huffman	Spacek
Hughes	Stanford
Humphrey	Stinson
Hutchinson	Stubbs
Isaacks	Taylor
Jones	Thornton
Kelly	Vale
Kennedy	Voigt
Kersey	Walters
Klingeman	Wattner
Knight	Weatherford
Lansberry	White
Lehman	Whitesides
Leyendecker	Williamson
Little	Winfree

**Present—Not Voting**

Favors	McLellan
Hardeman	

**Absent**

Brawner	Kinard
Donald	King
Dwyer	McAlister
Heflin	McDonald
Howard	McGlasson

McNamara            Roark  
Murray               Spangler  
  
Absent—Excused

Carlton               McCann  
Dickson of Nolan    Mills  
Fitzgerald           Nicholson  
Goodman

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 23, A bill to be entitled "An Act to amend House Bill No. 397 passed by the Regular Session 47th Legislature, 1941, validating the order of the Commissioners' Court of Bowie County, Texas, which required the county tax assessor and collector to accept in full payment of all county taxes delinquent for the years 1930, 1931, 1932 and 1933, and due in 1934, the sum of fifty cents on the dollar; and instructing the State Comptroller to abide by the order of the said Commissioners' Court; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 23 ON THIRD READING

The Speaker then laid House Bill No. 23 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—124

Allen	Carrington
Allison	Cato
Alsup	Celaya
Avant	Chambers
Bailey	Clark
Baker	Cleveland
Bean	Coker
Bell	Colson, Mrs.
Benton	Connelly
Blankenship	Craig
Boone	Crossley
Bray	Crosthwait
Bridgers	Daniel
Brown	Davis
Bruhl	Deen
Bullock	Dickson of Bexar
Bundy	Dove
Burkett	Duckett
Burnaman	Ellis

Eubank	Manford
Evans	Manning
Ferguson	Markle
Files	Martin
Fuchs	Matthews
Gandy	Montgomery
Garland	Moore
Gilmer	Morgan
Green	Morris
Halsey	Morse
Hanna	Pace
Hargis	Parker
Harris of Dallas	Pevehouse
Harris of Hill	Phillips
Hartzog	Price
Helpinstill	Rampy
Henderson	Reed of Bowie
Hileman	Reed of Dallas
Hobbs	Ridgeway
Howington	Rhodes
Hoyo	Roberts
Huddleston	Sallas
Huffman	Senterfitt
Hughes	Sharpe
Humphrey	Shell
Hutchinson	Simpson
Isaacks	Smith of Bastrop
Jones	Smith of Atascosa
Kelly	Spacek
Kennedy	Stanford
Kersey	Stinson
Klingeman	Stubbs
Knight	Taylor
Lansberry	Thornton
Lehman	Vale
Leyendecker	Voigt
Little	Walters
Lock	Wattner
Love	Weatherford
Lowry	White
Lucas	Whitesides
Lyle	Williamson
McMurry	Winfree

Present—Not Voting

Favors	McLellan
Hardeman	

Absent

Brawner	McAlister
Donald	McDonald
Dwyer	McGlasson
Hefin	McNamara
Howard	Murray
Kinard	Roark
King	Spangler

Absent—Excused

Carlton	Dickson of Nolan
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Fitzgerald  
Goodman  
McCann

Mills  
Nicholson

# HOUSE BILL NO. 24 ON SECOND READING

Mr. Lucas moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 24 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—124

Allen	Gandy
Allison	Garland
Alsup	Gilmer
Avant	Green
Bailey	Halsey
Baker	Hanna
Bean	Hargis
Bell	Harris of Dallas
Benton	Harris of Hill
Blankenship	Hartzog
Boone	Helpinstill
Bray	Henderson
Bridgers	Hileman
Brown	Hobbs
Bruhl	Howington
Bullock	Hoyo
Bundy	Huddleston
Burkett	Huffman
Burnaman	Hughes
Carrington	Humphrey
Cato	Hutchinson
Celaya	Isaacks
Chambers	Jones
Clark	Kelly
Cleveland	Kennedy
Coker	Kersey
Colson, Mrs.	Klingeman
Connelly	Knight
Craig	Lansberry
Crossley	Lehman
Crothwait	Leyendecker
Daniel	Little
Davis	Lock
Deen	Love
Dickson of Bexar	Lowry
Dove	Lucas
Duckett	Lyle
Ellis	McMurry
Eubank	Manford
Evans	Manning
Ferguson	Markle
Files	Martin
Fuchs	Matthews

Montgomery	Shell
Moore	Simpson
Morgan	Smith of Bastrop
Morris	Smith of Atascosa
Morse	Spacek
Pace	Stanford
Parker	Stinson
Pevehouse	Stubbs
Phillips	Taylor
Price	Thornton
Rampy	Vale
Reed of Bowie	Voigt
Reed of Dallas	Walters
Ridgeway	Wattner
Rhodes	Weatherford
Roberts	White
Sallas	Whitesides
Senterfitt	Williamson
Sharpe	Winfree

## Present—Not Voting

Favors	McLellan
Hardeman	

## Absent

Brawner	McAlister
Donald	McDonald
Dwyer	McGlasson
Heflin	McNamara
Howard	Murray
Kinard	Roark
King	Spangler

## Absent—Excused

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 24, A bill to be entitled "An Act making it unlawful for any person to hunt or kill quail outside of the county of his residence on the private lands of another person except on certain days; providing a penalty; making the Act applicable to Henderson County; repealing laws in conflict; granting authority to officers for enforcement of the Act; and declaring an emergency."

The bill was read second time.

Mr. Whitesides offered the following amendment to the bill:

Amend H. B. No. 24 by adding "Cherokee County" to its provisions.

The amendment was adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 24 was then passed to engrossment.

#### HOUSE BILL NO. 24 ON THIRD READING

The Speaker then laid House Bill No. 24 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—124

Allen	Fuchs
Allison	Gandy
Alsup	Garland
Avant	Gilmer
Bailey	Green
Baker	Halsey
Bean	Hanna
Bell	Hargis
Benton	Harris of Dallas
Blankenship	Harris of Hill
Boone	Hartzog
Bray	Helpinstill
Bridgers	Henderson
Brown	Hileman
Bruhl	Hobbs
Bullock	Howington
Bundy	Hoyo
Burkett	Huddleston
Burnaman	Huffman
Carrington	Hughes
Cato	Humphrey
Celaya	Hutchinson
Chambers	Isaacks
Clark	Jones
Cleveland	Kelly
Coker	Kennedy
Colson, Mrs.	Kersey
Connelly	Klingeman
Craig	Knight
Crossley	Lansberry
Crosthwait	Lehman
Daniel	Leyendecker
Davis	Little
Deen	Lock
Dickson of Bexar	Love
Dove	Lowry
Duckett	Lucas
Ellis	Lyle
Eubank	McMurry
Evans	Manford
Ferguson	Manning
Files	Markle

Martin	Sharpe
Matthews	Shell
Montgomery	Simpson
Moore	Smith of Bastrop
Morgan	Smith of Atascosa
Morris	Spacek
Morse	Stanford
Pace	Stinson
Parker	Stubbs
Pevehouse	Taylor
Phillips	Thornton
Price	Vale
Rampy	Voigt
Reed of Bowie	Walters
Reed of Dallas	Wattner
Ridgeway	Weatherford
Rhodes	White
Roberts	Whitesides
Sallas	Williamson
Senterfitt	Winfree

#### Present—Not Voting

Favors	McLellan
Hardeman	

#### Absent

Brawner	McAlister
Donald	McDonald
Dwyer	McGlasson
Heflin	McNamara
Howard	Murray
Kinard	Roark
King	Spangler

#### Absent—Excused

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

#### HOUSE BILL NO. 25 ON SECOND READING

Mr. Bean moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 25 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—124

Allen	Baker
Allison	Bean
Alsup	Bell
Avant	Benton
Bailey	Blankenship

Boone	Kennedy
Bray	Kersey
Bridgers	Klingeman
Brown	Knight
Bruhl	Lansberry
Bullock	Lehman
Bundy	Leyendecker
Burkett	Little
Burnaman	Lock
Carrington	Love
Cato	Lowry
Celaya	Lucas
Chambers	Lyle
Clark	McMurry
Cleveland	Manford
Coker	Manning
Colson, Mrs.	Markle
Connelly	Martin
Craig	Matthews
Crossley	Montgomery
Crosthwait	Moore
Daniel	Morgan
Davis	Morris
Deen	Morse
Dickson of Bexar	Pace
Dove	Parker
Duckett	Pevehouse
Ellis	Phillips
Eubank	Price
Evans	Rampy
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fuchs	Ridgeway
Gandy	Rhodes
Garland	Roberts
Gilmer	Sallas
Green	Senterfitt
Halsey	Sharpe
Hanna	Shell
Hargis	Simpson
Harris of Dallas	Smith of Bastrop
Harris of Hill	Smith of Atascosa
Hartzog	Spacek
Helpinstill	Stanford
Henderson	Stinson
Hileman	Stubbs
Hobbs	Taylor
Howington	Thornton
Hoyo	Vale
Huddleston	Voigt
Huffman	Walters
Hughes	Wattner
Humphrey	Weatherford
Hutchinson	White
Isaacks	Whitesides
Jones	Williamson
Kelly	Winfree

## Present—Not Voting

Favors                      McLellan  
Hardeman

## Absent

Brawner	McAlister
Donald	McDonald
Dwyer	McGlasson
Heflin	McNamara
Howard	Murray
Kinard	Roark
King	Spangler

## Present—Not Voting

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 25, A bill to be entitled "An Act amending House Bill No. 921, Acts of the Regular Session of the 47th Legislature, eliminating doves from the provisions of said Act and declaring an emergency."

The bill was read second time and was passed to engrossment.

## HOUSE BILL NO. 25 ON THIRD READING

The Speaker then laid House Bill No. 25 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—125

Allen	Chambers
Allison	Clark
Alsup	Cleveland
Avant	Coker
Bailey	Colson, Mrs.
Baker	Connelly
Bean	Craig
Bell	Crossley
Benton	Crosthwait
Blankenship	Daniel
Boone	Davis
Bray	Deen
Bridgers	Dickson of Bexar
Brown	Dove
Bruhl	Duckett
Bullock	Ellis
Bundy	Eubank
Burkett	Evans
Burnaman	Ferguson
Carrington	Files
Cato	Fuchs
Celaya	Gandy

Garland	Martin
Gilmer	Matthews
Green	Montgomery
Halsey	Moore
Hanna	Morgan
Hargis	Morris
Harris of Dallas	Morse
Harris of Hill	Pace
Hartzog	Parker
Helpinstill	Pevehouse
Henderson	Phillips
Hileman	Price
Hobbs	Rampy
Howard	Reed of Bowie
Howington	Reed of Dallas
Hoyo	Ridgeway
Huddleston	Rhodes
Huffman	Roberts
Hughes	Sallas
Humphrey	Senterfitt
Hutchinson	Sharpe
Isaacks	Shell
Jones	Simpson
Kelly	Smith of Bastrop
Kennedy	Smith of Atascosa
Kersey	Spacek
Klingeman	Stanford
Knight	Stinson
Lansberry	Stubbs
Lehman	Taylor
Leyendecker	Thornton
Little	Vale
Lock	Voigt
Love	Walters
Lowry	Wattner
Lucas	Weatherford
Lyle	White
McMurry	Whitesides
Manford	Williamson
Manning	Winfree
Markle	

Present—Not Voting

Favors	McLellan
Hardeman	

Absent

Brawner	McDonald
Donald	McGlasson
Dwyer	McNamara
Heflin	Murray
Kinard	Roark
King	Spangler
McAlister	

Present—Not Voting

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

TO GRANT PERMISSION TO SUE  
THE STATE

The Speaker laid before the House, for consideration at this time the following resolution:

H. C. R. No. 4, To grant the heirs of William Walsh and Dora Walsh permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was then adopted by the following vote:

Yeas—117

Allen	Green
Allison	Halsey
Alsup	Hanna
Avant	Hargis
Bailey	Harris of Dallas
Baker	Harris of Hill
Bell	Helpinstill
Benton	Henderson
Blankenship	Hileman
Brawner	Hobbs
Bray	Howington
Bridgers	Hoyo
Brown	Huddleston
Bruhl	Huffman
Bullock	Hughes
Bundy	Humphrey
Burkett	Hutchinson
Carrington	Isaacks
Cato	Jones
Celaya	Kelly
Chambers	Kennedy
Clark	Kersey
Cleveland	Klingeman
Coker	Knight
Colson, Mrs.	Lansberry
Connelly	Lehman
Crosthwait	Leyendecker
Daniel	Lock
Davis	Love
Deen	Lowry
Dickson of Bexar	Lucas
Dove	Lyle
Duckett	McAlister
Ellis	McMurry
Eubank	Manford
Evans	Manning
Ferguson	Markle
Files	Martin
Fuchs	Matthews
Garland	Montgomery

Moore	Shell
Morgan	Simpson
Morris	Smith of Bastrop
Morse	Smith of Atascosa
Murray	Spacek
Pace	Stanford
Parker	Stinson
Pevehouse	Stubbs
Phillips	Taylor
Price	Thornton
Reed of Bowie	Vale
Reed of Dallas	Voigt
Ridgeway	Walters
Rhodes	Wattner
Roark	Weatherford
Roberts	White
Sallas	Whitesides
Senterfitt	Williamson
Sharpe	Winfree

## Present—Not Voting

Craig	Hardeman
Favors	McLellan

## Absent

Bean	Howard
Boone	Kinard
Burnaman	King
Crossley	Little
Donald	McDonald
Dwyer	McGlasson
Gandy	McNamara
Gilmer	Rampy
Hartzog	Spangler
Heflin	

## Absent—Excused

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

## HOUSE BILL NO. 12 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 12, A bill to be entitled "An Act granting consent by the State of Texas, to Mrs. Mamie Scherrer and husband Emil Scherrer, their heirs, executors, administrators and assigns, to file suit against the State of Texas and/or County of San Patricio and/or State Highway Department of Texas in the District Court of San Patricio County, Texas; and to impose liability upon the State of Texas for the negligence of its

agents, officers or representatives for damages proximately caused by such negligence to the above named Mrs. Mamie Scherrer, growing out of an automobile accident on the public highway running from Sinton to Taft, Texas, and providing for process in such suit upon the Attorney General of Texas, providing appeal may be prosecuted to the Court of Civil Appeals and other appellate court and the Supreme Court of Texas precisely as if both parties to such appeal were private individuals; and providing that this Act shall constitute no admission of liability on the part of the State; providing further that the invalidity of one part of the Act should not render invalid other provisions; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## HOUSE BILL NO. 12 ON THIRD READING

Mr. Hoyo moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 12 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Allen	Colson, Mrs.
Allison	Connelly
Alsup	Crosthwait
Avant	Daniel
Bailey	Davis
Baker	Deen
Bell	Dickson of Bexar
Benton	Dove
Blankenship	Duckett
Brawner	Ellis
Bray	Eubank
Bridgers	Evans
Brown	Ferguson
Bruhl	Files
Bullock	Fuchs
Bundy	Garland
Burkett	Green
Carrington	Halsey
Cato	Hanna
Celaya	Hargis
Chambers	Harris of Dallas
Clark	Harris of Hill
Cleveland	Helpinstill
Coker	Henderson



Hileman	Morse
Hobbs	Murray
Howington	Pace
Hoyo	Parker
Huddleston	Pevehouse
Huffman	Phillips
Hughes	Price
Humphrey	Reed of Bowie
Hutchinson	Reed of Dallas
Isaacks	Ridgeway
Jones	Rhodes
Kelly	Roark
Kennedy	Roberts
Kersey	Sallas
Klingeman	Senterfitt
Knight	Sharpe
Lansberry	Shell
Lehman	Simpson
Leyendecker	Smith of Bastrop
Lock	Smith of Atascosa
Love	Spacek
Lowry	Stanford
Lucas	Stinson
Lyle	Stubbs
McAlister	Taylor
McMurry	Thornton
Manford	Vale
Manning	Voigt
Markle	Walters
Martin	Wattner
Matthews	Weatherford
Montgomery	White
Moore	Whitesides
Morgan	Williamson
Morris	Winfree

## Present—Not Voting

Craig	Hardeman
Favors	McLellan

## Absent

Bean	Howard
Boone	Kinard
Burnaman	King
Crossley	Little
Donald	McDonald
Dwyer	McGlasson
Gandy	McNamara
Gilmer	Rampy
Hartzog	Spangler
Heflin	

## Absent—Excused

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

The Speaker then laid House Bill No. 12 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—118

Allen	Hutchinson
Allison	Isaacks
Alsup	Jones
Avant	Kelly
Bailey	Kennedy
Baker	Kersey
Bell	Klingeman
Benton	Knight
Blankenship	Lansberry
Brawner	Lehman
Bray	Leyendecker
Bridgers	Lock
Brown	Love
Bruhl	Lowry
Bullock	Lucas
Bundy	Lyle
Burkett	McAlister
Carrington	McMurry
Cato	Manford
Celaya	Manning
Chambers	Markle
Clark	Martin
Cleveland	Matthews
Coker	Montgomery
Colson, Mrs.	Moore
Connelly	Morgan
Crosthwait	Morris
Daniel	Morse
Davis	Murray
Deen	Pace
Dickson of Bexar	Parker
Dove	Pevehouse
Duckett	Phillips
Ellis	Price
Eubank	Reed of Bowie
Evans	Reed of Dallas
Ferguson	Ridgeway
Files	Rhodes
Fuchs	Roark
Garland	Roberts
Green	Sallas
Halsey	Senterfitt
Hanna	Sharpe
Hargis	Shell
Harris of Dallas	Simpson
Harris of Hill	Smith of Bastrop
Helpinstill	Smith of Atascosa
Henderson	Spacek
Hileman	Stanford
Hobbs	Stinson
Howington	Stubbs
Hoyo	Taylor
Huddleston	Thornton
Huffman	Vale
Hughes	Voigt
Humphrey	Walters

Wattner	Whitesides
Weatherford	Williamson
White	Winfree

## Present—Not Voting

Craig	Hardeman
Favors	McLellan

## Absent

Bean	Howard
Boone	Kinard
Burnaman	King
Crossley	Little
Donald	McDonald
Dwyer	McGlasson
Gandy	McNamara
Gilmer	Rampy
Hartzog	Spangler
Heflin	

## Absent—Excused

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

## MESSAGE FROM THE SENATE

Austin, Texas, September 12, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 2, A bill to be entitled "An Act amending Chapter 13, Acts Third Called Session of the Forty-second Legislature, as amended; declaring the policy of the State with reference to building, maintaining and financing State designated roads; defining certain terms used throughout the Act; creating the Board of County and District Road Indebtedness, and prescribing the powers, duties and obligations of said Board; allocating revenue obtained from the occupation tax on the business of selling gasoline; creating a County and Road District Highway Fund designating the money to be placed in said fund, and prescribing the manner and purposes for which such fund shall be expended; authorizing the payment out of the County and Road District Fund of certain bonds and warrants issued by the counties and defined road districts where the proceeds of such bonds

and warrants were used in the construction of roads comprising the State System of Highways and in acquisition of rights-of-way for State highways; providing for refunding certain county obligations and bonds; providing for the disposition of sinking funds on county bonds issued to build State designated highways; making an appropriation of moneys coming into the County and Road District Highway Fund; providing for the transfer of certain moneys from the County and Road District Highway Fund to the State Highway Fund and making an appropriation thereof; providing for the handling of County Sinking Funds accumulated from the payment of certain road bonds and warrants; providing for the payment of certain Navigation District Bonds; making an appropriation for the administration of this Act; providing that if any Section of this Act is unconstitutional, other portions of this Act shall not be affected thereby; and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

## SENATE BILL ON FIRST READING

The following Senate bill received from the Senate was laid before the House, read first time, and referred to the appropriate committee, as follows:

S. B. No. 2, to the Committee on Highways and Motor Traffic.

## BILL RE-REFERRED

Mr. Coker moved that House Bill No. 26 be withdrawn from the Committee on Criminal Jurisprudence and referred to the Committee on Penitentiaries.

The motion prevailed.

## HOUSE BILL NO. 26 ON SECOND READING

Mr. Coker moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 26 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—130

Allen	Huddleston
Allison	Huffman
Alsup	Hughes
Avant	Humphrey
Bailey	Hutchinson
Baker	Isaacks
Bean	Jones
Bell	Kelly
Benton	Kennedy
Blankenship	Kersey
Boone	Kinard
Brawner	King
Bray	Klingeman
Bridgers	Knight
Brown	Lansberry
Bruhl	Lehman
Bullock	Leyendecker
Burkett	Little
Carrington	Lock
Cato	Love
Chambers	Lowry
Clark	Lucas
Cleveland	Lyle
Coker	McAlister
Colson, Mrs.	McDonald
Connelly	McGlasson
Crossley	McMurry
Crosthwait	McNamara
Daniel	Manford
Davis	Manning
Deen	Markle
Dickson of Bejar	Martin
Donald	Matthews
Dove	Montgomery
Duckett	Moore
Dwyer	Morgan
Ellis	Morris
Eubank	Morse
Evans	Murray
Ferguson	Pace
Files	Parker
Fuchs	Pevehouse
Gandy	Phillips
Gilmer	Price
Green	Rampy
Halsey	Reed of Bowie
Hanna	Reed of Dallas
Hargis	Ridgeway
Harris of Dallas	Rhodes
Hartzog	Roark
Heflin	Roberts
Helpinstill	Sallas
Henderson	Senterfitt
Hileman	Sharpe
Hobbs	Shell
Howington	Simpson
Hoyo	Smith of Bastrop

Smith of Atascosa	Voigt
Spacek	Walters
Spangler	Wattner
Stanford	Weatherford
Stinson	White
Taylor	Whitesides
Thornton	Williamson
Vale	Winfree

Present—Not Voting

Craig	Hardeman
Favors	McLellan

Absent

Bundy	Harris of Hill
Burnaman	Howard
Celaya	Stubbs
Garland	

Absent—Excused

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 26, A bill to be entitled "An Act regulating the time when a convict shall be discharged while out on conditional clemency; defining conditional clemency; prescribing the duties of the prison officials; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 26 ON THIRD READING

The Speaker then laid House Bill No. 26 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—130

Allen	Brawner
Allison	Bray
Alsup	Bridgers
Avant	Brown
Bailey	Bruhl
Baker	Bullock
Bean	Burkett
Bell	Carrington
Benton	Cato
Blankenship	Chambers
Boone	Clark

Cleveland	Love
Coker	Lowry
Colson, Mrs.	Lucas
Connelly	Lyle
Crossley	McAlister
Crosthwait	McDonald
Daniel	McGlasson
Davis	McMurry
Deen	McNamara
Dickson of Bexar	Manford
Donald	Manning
Dove	Markle
Duckett	Martin
Dwyer	Matthews
Ellis	Montgomery
Eubank	Moore
Evans	Morgan
Ferguson	Morris
Files	Morse
Fuchs	Murray
Gandy	Pace
Gilmer	Parker
Green	Pevehouse
Halsey	Phillips
Hanna	Price
Hargis	Rampy
Harris of Dallas	Reed of Bowie
Hartzog	Reed of Dallas
Heflin	Ridgeway
Helpinstill	Rhodes
Henderson	Roark
Hileman	Roberts
Hobbs	Sallas
Howington	Senterfitt
Hoyo	Sharpe
Huddleston	Shell
Huffman	Simpson
Hughes	Smith of Bastrop
Humphrey	Smith of Atascosa
Hutchinson	Spacek
Isaacks	Spangler
Jones	Stanford
Kelly	Stinson
Kennedy	Taylor
Kersey	Thornton
Kinard	Vale
King	Voigt
Klingeman	Walters
Knight	Wattner
Lansberry	Weatherford
Lehman	White
Leyendecker	Whitesides
Little	Williamson
Lock	Winfree

Present—Not Voting

Craig	Hardeman
Favors	McLellan

Absent

Bundy	Celaya
Burnaman	Garland

Harris of Hill	Stubbs
Howard	

Absent—Excused

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

## HOUSE BILL NO. 29 ON SECOND READING

Mr. Shell moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 29 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—130

Allen	Evans
Allison	Ferguson
Alsup	Files
Avant	Fuchs
Bailey	Gandy
Baker	Gilmer
Bean	Green
Bell	Halsey
Benton	Hanna
Blankenship	Hargis
Boone	Harris of Dallas
Brawner	Hartzog
Bray	Heflin
Bridgers	Helpinstill
Brown	Henderson
Bruhl	Hileman
Bullock	Hobbs
Burkett	Howington
Carrington	Hoyo
Cato	Huddleston
Chambers	Huffman
Clark	Hughes
Cleveland	Humphrey
Coker	Hutchinson
Colson, Mrs.	Isaacks
Connelly	Jones
Crossley	Kelly
Crosthwait	Kennedy
Daniel	Kersey
Davis	Kinard
Deen	King
Dickson of Bexar	Klingeman
Donald	Knight
Dove	Lansberry
Duckett	Lehman
Dwyer	Leyendecker
Ellis	Little
Eubank	Lock

Love	Reed of Dallas
Lowry	Ridgeway
Lucas	Rhodes
Lyle	Roark
McAlister	Roberts
McDonald	Sallas
McGlasson	Senterfitt
McMurry	Sharpe
McNamara	Shell
Manford	Simpson
Manning	Smith of Bastrop
Markle	Smith of Atascosa
Martin	Spacek
Matthews	Spangler
Montgomery	Stanford
Moore	Stinson
Morgan	Taylor
Morris	Thornton
Morse	Vale
Murray	Voigt
Pace	Walters
Parker	Wattner
Pevehouse	Weatherford
Phillips	White
Price	Whitesides
Rampy	Williamson
Reed of Bowie	Winfree

## Present—Not Voting

Craig	Hardeman
Favors	McLellan

## Absent

Bundy	Harris of Hill
Burnaman	Howard
Celaya	Stubbs
Garland	

## Absent—Excused

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 29, A bill to be entitled "An Act amending H. B. No. 6, Acts, 1929, of the Forty-first Legislature, Second Called Session, Page 172, Chapter 88, with the amendments thereto and adding a new section providing for the establishment of sub-offices or branch offices outside of the County Seat by the Tax Collector for the registration of motor vehicles and issuance of receipts incident thereto. Authorizing the Tax Collector to so establish such offices when authorized by the Commis-

sioners' Court and to appoint deputies therein; providing for salary or compensation for said deputies; repealing laws in conflict therewith; providing method of accounting for monies collected and receipts issued; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## HOUSE BILL NO. 29 ON THIRD READING

The Speaker then laid House Bill No. 29 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—130

Allen	Fuchs
Allison	Gandy
Alsup	Gilmer
Avant	Green
Bailey	Halsey
Baker	Hanna
Bean	Hargis
Bell	Harris of Dallas
Benton	Hartzog
Blankenship	Heflin
Boone	Helpinstill
Brawner	Henderson
Bray	Hileman
Bridgers	Hobbs
Brown	Howard
Bruhl	Howington
Bullock	Hoyo
Burkett	Huddleston
Carrington	Huffman
Cato	Hughes
Chambers	Humphrey
Clark	Hutchinson
Cleveland	Isaacks
Coker	Jones
Colson, Mrs.	Kelly
Connelly	Kennedy
Crossley	Kersey
Crosthwait	Kinard
Daniel	King
Davis	Klingeman
Deen	Knight
Dickson of Bexar	Lansberry
Donald	Lehman
Dove	Leyendecker
Duckett	Little
Dwyer	Lock
Ellis	Love
Eubank	Lowry
Evans	Lucas
Ferguson	Lyle
Files	McAlister

McDonald	Roark
McGlasson	Roberts
McMurry	Sallas
McNamara	Senterfitt
Manford	Sharpe
Manning	Shell
Markle	Simpson
Martin	Smith of Bastrop
Matthews	Smith of Atascosa
Montgomery	Spacek
Moore	Spangler
Morgan	Stanford
Morris	Stinson
Morse	Taylor
Murray	Thornton
Pace	Vale
Parker	Voigt
Pevehouse	Walters
Phillips	Wattner
Price	Weatherford
Rampy	White
Reed of Bowie	Whitesides
Reed of Dallas	Williamson
Ridgeway	Winfree
Rhodes	

## Present—Not Voting

Craig	Hardeman
Favors	McLellan

## Absent

Bundy	Garland
Burnaman	Harris of Hill
Celaya	Stubbs

## Absent—Excused

Carlton	McCann
Dickson of Nolan	Mills
Fitzgerald	Nicholson
Goodman	

## ADJOURNMENT

On motion of Mr. Morris, the House at 11:05 o'clock a. m., adjourned until 10:00 a. m., next Monday.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolution, as follows:

Appropriations: H. B. No. 20.

Game and Fisheries: H. B. Nos. 24 and 25.

Counties: H. B. Nos. 22, 23 and 29.

Penitentiaries: H. B. No. 26.

State Affairs: H. B. No. 12 and H. C. R. No. 4.

## REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, Sept. 11, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 11, A bill to be entitled "An Act relating to marks and brands of livestock in Fayette County; requiring that each owner of any livestock mentioned in Chapter 1 of Title 121 of the Revised Civil Statutes of Texas, 1925, shall within six (6) months after this Act takes effect have his mark and brand of such stock recorded at the office of the County Clerk; and providing that such owners shall so record such marks and brands, whether heretofore recorded or not, and that after the expiration of six (6) months from the taking effect of this Act all records and marks and brands now in existence shall no longer have any force or effect and that after the expiration of six (6) months only the records made after this Act shall be effective and considered the recorded marks and brands of Fayette County; and further providing that the County Clerk of said county shall publish this Act in some newspaper in general circulation in Fayette County for a period of thirty (30) days; providing for re-recording brands and marks at the end of ten-year period; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, Sept. 11, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 16, A bill to be entitled "An Act repealing House Bill No. 399 passed in the Regular Sess. of

the Forty-third Legislature, the same being a game bill for Polk and Trinity Counties; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, Sept. 11, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 17, A bill to be entitled "An Act repealing House Bill No. 140 passed at the Second Called Session of the Forty-fifth Legislature, the same being a local game bill for Polk and Fannin Counties; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, Sept. 11, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 13, A bill to be entitled "An Act making it lawful to hunt wounded wild deer with one dog in Hardin County, during the open season of each year for a period of five (5) years; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, Sept. 11, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 18, A bill to be entitled "An Act prohibiting the taking, trapping, or killing of raccoons and mink in Fayette County for a period of three (3) years; providing a penalty therefor; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, Sept. 11, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 14, A bill to be entitled "An Act creating a Special Road Law for Clay County, Texas, providing that said county may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of August 1, 1941, by the issuance of funding bonds; providing that items of indebtedness as of said date, including notes, scrip, time warrants, funding warrants, and all other evidences of indebtedness, may be included in such funding bonds; providing for sufficient tax levy; etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, Sept. 11, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 15, A bill to be entitled "An Act to amend Title 8, Article 199, paragraphs 15 and 59 of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 10, page 24, Acts of the Second Called Session of Forty-third Legislature, said Article providing judicial districts of the State, and paragraph 15 thereof defining the Fifteenth Judicial District and determining the date and length of the term of such District Court in Grayson County, etc.; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, Sept. 11, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 19, A bill to be entitled

"An Act prescribing the compensation and travel and other expenses for County Commissioners in certain counties; prescribing the funds from which the same shall be paid; re-

pealing all laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.



In Memory of  
**Mrs. Allie Mosley**

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Mr. Howard offered the following resolution:

H. S. R. No. 11, In memory of Mrs. Allie Mosley.

Whereas, The House has learned with sincere regret of the passing of Mrs. Allie Mosley on September 9, 1941, in Bridgeport, Texas; and

Whereas, Mrs. Mosley was born in Eversglade, Alabama, and came to Texas and settled in Wise County; and

Whereas, The deceased had lived a long and useful life being 86 years of age at the time of her passing; and

Whereas, She had been a lifelong member of the Church of Christ and her charming influence was far-reaching; and

Whereas, Mrs. Mosley was the grandmother of our dearly beloved fellow-member, The Honorable Clinton Kersey of Wise County; and

Whereas, The House desires to express its sympathy to Mr. Kersey and the other members of his family in their great loss; now, therefore be it

Resolved by the House of Representatives of the Forty-seventh Legislature, That when the House stands adjourned today it do so out of respect to the memory of Mrs. Allie Mosley; and be it further

Resolved, That a copy of this resolution be sent to her family and that a copy be spread upon the House Journal.

HOWARD.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favours, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Green, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Hefin, Helpinstill, Henderson, Hileman, Hobbs, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampsy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Smith of Bastrop, Smith of Atascosa, Spacek Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides, Williamson, Winfree.

On motion of Mr. Craig, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.